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To anticipate the claims of the present invention under 35 U.S.C § 102(e), two basic requirements must be met. The first requirement of anticipation is that Gurbani, Shaffer, or Maloney must disclose each and every element as set forth in Applicants' claims. The second requirement of anticipation is that Gurbani, Shaffer, or Maloney must enable Applicants' claims. Gurbani, Shaffer, and Maloney meet neither requirement and therefore do not anticipate Applicants' claims. The rejection of Applicants' claims should be therefore withdrawn. Applicants specifically demonstrate the patentability of claims 1-33 and 35-46 and respectfully request reconsideration of their patentability.

**Gurbani, Shaffer, and Maloney Do Not Disclose  
Each and Every Element of Applicants' Claims**

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be shown below, Gurbani, Shaffer, and Maloney do not teach each and every element of claims 1-33 and 35-47. Claims 1-33 and 35-47 are therefore patentable and should be allowed. Applicants respectfully traverse each rejection individually below and request reconsideration of claims 1-33 and 35-47.

**Gurbani**

Gurbani does not disclose each and every element of claim 1. Independent claim 1 claims "a method for controlling call logging, comprising: detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request." In contrast to claim 1, Gurbani discloses a method for storing caller identification information as a caller ID list of all calls received by a subscriber including the caller name, caller phone number, and the time of the call. Gurbani, column 3, lines 20-57. Gurbani discloses listing every call received by a subscriber regardless of the context of the call. Gurbani therefore actually teaches away from controlling call logging including context based logging requests that are valid for a context of a call, because Gurbani teaches listing all calls without regard to the call context and without regard to valid context based logging

AUS920010835US1

requests. In fact, Gurbani does not even mention context based logging requests, valid context based logging requests or invalid context based logging requests. Gurbani therefore does not disclose each and every element of independent claim 1 and therefore, does not anticipate claim 1.

Claims 2-15 depend from independent claim 1 and include all of the limitations of claim 1. Because Gurbani does not disclose each and every element of claim 1, Gurbani does not disclose each and every element of claims 2-15. As such, claims 2-15 are also patentable and should be allowed.

Independent claims 16 and 31 recite system and computer program product claims corresponding to independent claim 1 that include "means for" and "means, recorded on [a] recording medium," for: detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request. As discussed above, Gurbani discloses a method for storing caller identification information as a caller ID list of all calls received by a subscriber including the caller name, caller phone number, and the time of the call. Gurbani, column 3, lines 20-57. Gurbani discloses listing every call received by a subscriber regardless of the context of the call. Gurbani therefore actually teaches away from controlling call logging including context based logging requests that are valid for a context of a call, because Gurbani teaches listing all calls without regard to the call context and without regard to valid context based logging requests. In fact, Gurbani does not even mention context based logging requests, valid context based logging requests or invalid context based logging requests. Therefore, for the same reason that Gurbani does not disclose a method for controlling call logging, Gurbani also does not teach a system or computer program product for controlling call logging as claimed in independent claims 16 and 31. Independent claims 16 and 31 are patentable and should also be allowed.

Claims 17-30 and 32-40 depend from independent claims 16 and 31 respectively and include all of the limitations of the claims from which they depend. Because Gurbani

AUS92D010835US1

does not teach each and every element of claims 16 and 31, Gurbani does not teach each and every element of claims 17-30 and 32-40. As such, claims 1-40 are not anticipated by Gurbani.

Turning now to independent claim 41, Gurbani does not disclose each and every element of independent claim 41. Independent claim 41 claims "a method for controlling call receipts, comprising: logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call." In contrast to claim 41, Gurbani discloses a method for storing caller identification information as a caller ID list of all calls received by a subscriber including the caller name, caller phone number, and the time of the call. Gurbani, column 3, lines 20-57. Gurbani discloses listing every call received by a subscriber regardless of the context of the call or context criteria. Gurbani therefore actually teaches away from controlling call receipts including logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request. In fact, Gurbani does not even mention context entries or context criteria. Gurbani therefore does not disclose each and every element of independent claim 41 and therefore, does not anticipate claim 41.

Independent claims 44 and 47 recite system and computer program products for controlling call receipts corresponding to independent method claim 1 that include "means for" and "means, recorded on [a] recording medium, for:" logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call. As discussed above, Gurbani discloses a method for storing caller identification information as a caller ID list of all calls received by a subscriber including the caller name, caller phone number, and the time of the call. Gurbani, column 3, lines 20-57. Gurbani discloses listing every call received by a subscriber regardless of the context of the call or context criteria. Gurbani therefore actually teaches away from controlling call receipts including

AUS920010835US1

logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request. In fact, Gurbani does not even mention context entries or context criteria. Therefore, for the same reason that Gurbani does not disclose a method for controlling call receipts, Guribani also does not disclose systems and computer program products for controlling call receipts corresponding to independent method claims 44 and 47. Independent claims 44 and 47 are therefore patentable and should be allowed.

Claims 42-43 and 45-46 depend from independent claims 41 and 44 respectively and include all of the limitations of the claims from which they depend. Because Gurbani does not teach each and every element of claims 41 and 44, Gurbani does not teach each and every element of dependent claims 42-43 and 45-46. As such, claims 41-47 are patentable and should be allowed.

#### **Shaffer**

Shaffer does not disclose each and every element of independent claim 1. Independent claim 1 claims "a method for controlling call logging, comprising: detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request." In contrast to claim 1, Shaffer teaches a method and system for automated silent call monitoring where voice patterns within predetermined time periods are compared to thresholds to identify situations of poor customer relations. Shaffer, column 2, lines 42-65. Shaffer teaches monitoring the actual voice patterns of callers participating in the call not detecting a context for a call. Said differently, Shaffer operates against the spoken words of the call itself not the context of the call. Shaffer does not disclose controlling call logging or context based logging requests that are valid for a context of a call. In fact, Shaffer does not even mention controlling call logging, context based logging requests, valid context based logging requests or invalid context based logging requests. Shaffer therefore does not disclose each and every element of independent claim 1 and therefore, does not anticipate claim 1.

AUS920010835US1

Claims 2-15 depend from independent claim 1 and include all of the limitations claim 1. Because Shaffer does not teach each and every element of claim 1, Shaffer does not teach each and every element of claims 2-15. As such, claims 1-15 are patentable and should be allowed.

Independent claims 16 and 31 recite system and computer program product claims corresponding to independent claim 1 that include "means for" and "means, recorded on [a] recording medium, for:" detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request. As discussed above, Shaffer teaches a method and system for automated silent call monitoring where voice patterns within predetermined time periods are compared to thresholds to identify situations of poor customer relations. Shaffer, column 2, lines 42-65. Shaffer teaches monitoring the actual voice patterns of callers participating in the call not detecting a context for a call. Said differently, Shaffer operates against the spoken words of the call itself not the context of the call. Shaffer does not disclose controlling call logging or context based logging requests that are valid for a context of a call. In fact, Shaffer does not even mention controlling call logging, context based logging requests, valid context based logging requests or invalid context based logging requests. Therefore, for the same reason that Shaffer does not disclose a method for controlling call logging, Shaffer also does not disclose a system or computer program product for controlling call logging as claimed in independent claims 16 and 31. Independent claims 16 and 31 are therefore patentable and should be allowed.

Claims 17-30 and 32-40 depend from independent claims 16 and 31 respectively and include all of the limitations of the claims from which they depend. Because Shaffer does not teach each and every element of claims 16 and 31, Shaffer does not teach each and every element of claims 17-30 and 32-40. Claims 17-30 and 32-40 are therefore patentable and should be allowed.

AUS920010835US1

Turning now to independent claim 41, Shaffer does not disclose each and every element of independent claim 41. Independent claim 41 claims "a method for controlling call receipts, comprising: logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call." In contrast to claim 41, Shaffer teaches a method and system for automated silent call monitoring where voice patterns within predetermined time periods are compared to thresholds to identify situations of poor customer relations. Shaffer, column 2, lines 42-65. Shaffer teaches monitoring the actual voice patterns of callers participating in the call not detecting a context for a call. Said differently, Shaffer operates against the spoken words of the call itself not the context of the call or context criteria. Shaffer therefore does not disclose controlling call receipts including logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request. In fact, Shaffer does not even mention controlling call receipts, logging a context entry of a call for a particular party, context criteria of a logging request, or controlling output of a logged context entry. Shaffer therefore does not disclose each and every element of independent claim 41 and therefore, does not anticipate claim 41.

Independent claims 44 and 47 recite system and computer program products for controlling call receipts corresponding to independent method claim 1 that include "means for" and "means, recorded on [a] recording medium, for:" logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call. As discussed above, Shaffer teaches a method and system for automated silent call monitoring where voice patterns within predetermined time periods are compared to thresholds to identify situations of poor customer relations. Shaffer, column 2, lines 42-65. Shaffer teaches monitoring the actual voice patterns of callers participating in the call not detecting a context for a call. Said differently, Shaffer operates against the spoken words of the call itself not the context of the call or context criteria. Shaffer does not disclose controlling

AUS920010835US1

call receipts including logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request. In fact, Shaffer does not even mention controlling call receipts, logging a context entry of a call for a particular party, context criteria of a logging request, or controlling output of a logged context entry. For the same reason that Shaffer does not disclose a method for controlling call receipts, Shaffer also does not disclose a system and computer program product for controlling call receipts corresponding to independent claims 44 and 47, and therefore does not anticipate independent claims 44 and 47.

Claims 42-43 and 45-46 depend from independent claims 41 and 44 respectively and include all of the limitations of the claims from which they depend. Because Shaffer does not teach each and every element of claims 41 and 44, Shaffer does not teach each and every element of claims 42-43 and 45-46. Claims 41-47 are therefore patentable and should be allowed.

#### Maloney

Maloney does not disclose each and every element of independent claim 1. Independent claim 1 claims "a method for controlling call logging, comprising: detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request." In contrast to claim 1, Maloney discloses automatically monitoring the performance quality of call center service representatives by automatically and randomly determining a time and interval to monitor the agent and recording the call service representative at the determined time and for the determined interval. The recorded performance may then be used by a call center supervisor to evaluate the call center representative's performance. Maloney, column 4, lines 25 - 50; column 5, lines 5-60. Maloney discloses recording a call in dependence upon a predetermined time not a context for a call. In fact, Maloney does not even mention context based logging requests, valid context based logging requests or invalid context based logging requests. Maloney therefore does not disclose each and every element of independent claim 1 and therefore does not anticipate claim 1.

AUS920010835US1

Claims 2-15 depend from independent claim 1 and include all of the limitations of claim 1. Because Maloney does not teach each and every element of claim 1, Maloney does not teach each and every element of claims 2-15. As such, claims 1-15 are patentable and should be allowed.

Independent claims 16 and 31 recite system and computer program product claims corresponding to independent claim 1 that include "means for" and "means, recorded on [a] recording medium, for:" detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request. As discussed above, Maloney discloses automatically monitoring the performance quality of call center service representatives by automatically and randomly determining a time and interval to monitor the agent and recording the call service representative at the determined time and for the determined interval. The recorded performance may then be used by a call center supervisor to evaluate the call center representative's performance. Maloney, column 4, lines 25 - 50; column 5, lines 5-60. Maloney discloses recording a call in dependence upon a predetermined time not a context for a call. In fact, Maloney does not even mention context based logging requests, valid context based logging requests or invalid context based logging requests. Therefore, for the same reason that Maloney does not teach a method for controlling call logging, Maloney also does not teach a system or computer program product for controlling call logging as claimed in independent claims 16 and 31. Independent claims 16 and 31 are therefore patentable and should be allowed.

Claims 17-30 and 32-40 depend from independent claims 16 and 31 respectively and include all of the limitations of the claims from which they depend. Because Maloney does not teach each and every element of claims 16 and 31, Maloney does not teach each and every element of claims 17-30 and 32-40. Claims 17-30 and 32-40 are therefore patentable and should be allowed.

Turning now to independent claim 41, Maloney does not disclose each and every element of independent claim 41. Independent claim 41 claims "a method for controlling call



AUS920010835US1

receipts, comprising: logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call." In contrast to independent claim 41, Maloney discloses automatically monitoring the performance quality of call center service representatives by automatically and randomly determining a time and interval to monitor the agent and recording the call service representative at the determined time and for the determined interval. The recorded performance may then be used by a call center supervisor to evaluate the call center representative's performance. Maloney, column 4, lines 25 – 50; column 5, lines 5-60. Maloney discloses recording a call in dependence upon a predetermined time not context criteria. In fact, Maloney does not even mention controlling call receipts, logging a context entry of a call for a particular party, context criteria of a logging request, or controlling output of a logged context entry. Maloney therefore does not disclose each and every element of independent claim 41 and therefore, does not anticipate claim 41.

Independent claims 44 and 47 recite system and computer program products for controlling call receipts corresponding to independent method claim 1 that include "means for" and "means, recorded on [a] recording medium, for:" logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call. As discussed above Maloney discloses automatically monitoring the performance quality of call center service representatives by automatically and randomly determining a time and interval to monitor the agent and recording the call service representative at the determined time and for the determined interval. The recorded performance may then be used by a call center supervisor to evaluate the call center representative's performance. Maloney, column 4, lines 25 – 50; column 5, lines 5-60. Maloney discloses recording a call in dependence upon a predetermined time not context criteria. In fact, Maloney does not even mention controlling call receipts, logging a context entry of a call for a particular party, context criteria of a logging request, or controlling output of a logged context entry. Therefore,

AUS920010835US1

for the same reason that Maloney does not disclose a method for controlling call receipts, Maloney does not teach a system and computer program product for controlling call receipts corresponding to independent claims 44 and 47, and therefore does not anticipate independent claims 44 and 47.

Claims 42-43 and 45-46 depend from independent claims 41 and 44 respectively and include all of the limitations of the claims from which they depend. Because Maloney does not teach each and every element of claims 41 and 44, Maloney does not teach each and every element of claims 42-43 and 45-46. Claims 41-47 are therefore patentable and should be allowed.

#### **Gurbani, Shaffer, and Maloney Do Not Enable Applicants' Claims**

Not only must Gurbani, Shaffer, and Maloney disclose each and every element of the claims of the present invention within the meaning of *Verdegaal* in order to anticipate Applicants' claims, but also Gurbani, Shaffer, and Maloney must be an enabling disclosure of Applicants' claims within the meaning of *In re Hoeksema*. In *Hoeksema*, the claims were rejected because an earlier patent disclosed a structural similarity to the applicant's chemical compound. The court in *Hoeksema* stated: "We think it is sound law, consistent with the public policy underlying our patent law, that before any publication can amount to a statutory bar to the grant of a patent, its disclosure must be such that a skilled artisan could take its teachings in combination with his own knowledge of the particular art and be in possession of the invention." *In re Hoeksema*, 399 F.2d 269, 273, 158 USPQ 596, 600 (CCPA 1968). The meaning of *Hoeksema* for the present case is that unless Gurbani, Shaffer, and Maloney place Applicants' claims in the possession of a person of ordinary skill in the art, Gurbani, Shaffer, and Maloney are legally insufficient to anticipate Applicants' claims under 35 USC 102(e). As shown below, Gurbani, Shaffer, and Maloney are legally insufficient to anticipate Applicants' claims.

AUS920010835US1

**Gurbani**

Gurbani does not enable claim 1. Independent claim 1 claims "a method for controlling call logging, comprising: detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request." In contrast to claim 1, Gurbani discloses a method for storing caller identification information as a caller ID list of all calls received by a subscriber including the caller name, caller phone number, and the time of the call. Gurbani, column 3, lines 20-57. Gurbani discloses listing every call received by a subscriber regardless of the context of the call. Gurbani therefore actually teaches away from controlling call logging including context based logging requests that are valid for a context of a call, because Gurbani teaches listing all calls without regard to call context and without regard to valid logging requests. In fact, Gurbani does not even mention context based logging requests, valid context based logging requests or invalid context based logging requests. Gurbani therefore does not place one of ordinary skill in the art in possession of claim 1 and is therefore legally insufficient to anticipate claim 1.

Claims 2-15 depend from independent claim 1 and include all of the limitations of claim 1. Because Gurbani does not place one of skill in the art in possession of claim 1, Gurbani does not place one of skill in the art in possession of claims 2-15. As such, claims 2-15 are also patentable and should be allowed.

Independent claims 16 and 31 recite system and computer program product claims corresponding to independent claim 1 that include "means for" and "means, recorded on [a] recording medium," for: detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request. As discussed above, Gurbani discloses a method for storing caller identification information as a caller ID list of all calls received by a subscriber including the caller name, caller phone number, and the time of the call. Gurbani, column 3, lines 20-57. Gurbani discloses listing every call received by a subscriber regardless of the context of the call. Gurbani therefore actually teaches away from controlling call logging including context based logging requests that are valid for a

AUS920010835US1

context of a call, because Gurbani teaches listing all calls without regard to the call context and without regard to valid context based logging requests. In fact, Gurbani does not even mention context based logging requests, valid context based logging requests or invalid context based logging requests. For the same reason that Gurbani does not enable a method for controlling call logging, Gurbani also does enable a system or computer program product for controlling call logging as claimed in independent claims 16 and 31. Independent claims 16 and 31 are therefore patentable and should also be allowed.

Claims 17-30 and 32-40 depend from independent claims 16 and 31 respectively and include all of the limitations of the claims from which they depend. Because Gurbani does not place one of skill in the art in possession of claims 16 and 31, Gurbani does not place one of skill in the art in possession of claims 17-30 and 32-40. As such, claims 1-40 are not anticipated by Gurbani.

Turning now to independent claim 41, Gurbani does not enable independent claim 41. Independent claim 41 claims "a method for controlling call receipts, comprising: logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call." In contrast to claim 41, Gurbani discloses a method for storing caller identification information as a caller ID list of all calls received by a subscriber including the caller name, caller phone number, and the time of the call. Gurbani, column 3, lines 20-57. Gurbani discloses listing every call received by a subscriber without regard to the context of the call or context criteria. Gurbani therefore actually teaches away from controlling call receipts including logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request. In fact, Gurbani does not even mention context entries or context criteria. Gurbani therefore does not place of skill in the art in possession of independent claim 41 and therefore, does not anticipate claim 41.

AUS920010835US1

Independent claims 44 and 47 recite system and computer program products for controlling call receipts corresponding to independent method claim 1 that include "means for" and "means, recorded on [a] recording medium, for:" logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call. As discussed above, Gurbani discloses a method for storing caller identification information as a caller ID list of all calls received by a subscriber including the caller name, caller phone number, and the time of the call. Gurbani, column 3, lines 20-57. Gurbani discloses listing every call received by a subscriber regardless of the context of the call or context criteria. Gurbani therefore actually teaches away from controlling call receipts including logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request. In fact, Gurbani does not even mention context entries or context criteria. Therefore, for the same reason that Gurbani does not place one of skill in the art in possession of method for controlling call receipts, Guribani also does not place one of skill in the art in possession of systems and computer program products for controlling call receipts corresponding to independent method claims 44 and 47. Independent claims 44 and 47 are therefore patentable and should be allowed.

Claims 42-43 and 45-46 depend from independent claims 41 and 44 respectively and include all of the limitations of the claims from which they depend. Because Gurbani does not enable claims 41 and 44, Gurbani does not enable dependent claims 42-43 and 45-46. As such, claims 41-47 are patentable and should be allowed.

#### **Schaffer**

Shaffer does not enable independent claim 1. Independent claim 1 claims "a method for controlling call logging, comprising: detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request." In contrast to claim 1, Shaffer teaches a method and system for automated silent call monitoring where voice patterns within predetermined time periods are compared to thresholds to identify situations of poor

AUS920010835US1

customer relations. Shaffer, column 2, lines 42-65. Shaffer teaches monitoring the actual voice patterns of callers participating in the call not detecting a context for a call. Said differently, Shaffer operates against the spoken words of the call itself not the context of the call. Shaffer does not disclose controlling call logging or context based logging requests that are valid for a context of a call. In fact, Shaffer does not even mention controlling call logging, context based logging requests, valid context based logging requests or invalid context based logging requests. Shaffer therefore does not place one of skill in the art in possession of independent claim 1 and therefore, does not anticipate claim 1.

Claims 2-15 depend from independent claim 1 and include all the limitations of claim 1. Because Shaffer does not enable claim 1, Shaffer does not enable claims 2-15. As such, claims 1-15 are patentable and should be allowed.

Independent claims 16 and 31 recite system and computer program product claims corresponding to independent claim 1 that include "means for" and "means, recorded on [a] recording medium, for:" detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request. As discussed above, Shaffer teaches a method and system for automated silent call monitoring where voice patterns within predetermined time periods are compared to thresholds to identify situations of poor customer relations. Shaffer, column 2, lines 42-65. Shaffer teaches monitoring the actual voice patterns of callers participating in the call not detecting a context for a call. Said differently, Shaffer operates against the spoken words of the call itself not the context of the call. Shaffer does not disclose controlling call logging or context based logging requests that are valid for a context of a call. In fact, Shaffer does not even mention controlling call logging, context based logging requests, valid context based logging requests or invalid context based logging requests. For the same reason that Shaffer does not place one of skill in the art in possession of a method for controlling call logging, Shaffer also does not place one of skill in the art in possession of a system or computer

AUS920010835US1

program product for controlling call logging as claimed in independent claims 16 and 31. Independent claims 16 and 31 are therefore patentable and should be allowed.

Claims 17-30 and 32-40 depend from independent claims 16 and 31 respectively and include all of the limitations of the claims from which they depend. Because Shaffer does not enable claims 16 and 31, Shaffer does not enable claims 17-30 and 32-40. Claims 17-30 and 32-40 are therefore patentable and should be allowed.

Turning now to independent claim 41, Shaffer does not enable independent claim 41. Independent claim 41 claims "a method for controlling call receipts, comprising: logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call." In contrast to claim 41, Shaffer teaches a method and system for automated silent call monitoring where voice patterns within predetermined time periods are compared to thresholds to identify situations of poor customer relations. Shaffer, column 2, lines 42-65. Shaffer teaches monitoring the actual voice patterns of callers participating in the call not detecting a context for a call. Said differently, Shaffer operates against the spoken words of the call itself not the context of the call. Shaffer does not disclose controlling call receipts including logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request. In fact, Shaffer does not even mention controlling call receipts, logging a context entry of a call for a particular party, context criteria of a logging request, or controlling output of a logged context entry. Shaffer therefore does not place one of skill in the art in possession of independent claim 41 and therefore, does not anticipate claim 41.

Independent claims 44 and 47 recite system and computer program products for controlling call receipts corresponding to independent method claim 1 that include "means for" and "means, recorded on [a] recording medium, for:" logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of

AUS920010835US1

said logged context entry to said particular party as a receipt for said call. As discussed above, Shaffer teaches a method and system for automated silent call monitoring where voice patterns within predetermined time periods are compared to thresholds to identify situations of poor customer relations. Shaffer, column 2, lines 42-65. Shaffer teaches monitoring the actual voice patterns of callers participating in the call not detecting a context for a call. Said differently, Shaffer operates against the spoken words of the call itself not the context of the call. Shaffer does not disclose controlling call receipts including logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request. In fact, Shaffer does not even mention controlling call receipts, logging a context entry of a call for a particular party, context criteria of a logging request, or controlling output of a logged context entry. For the same reason that Shaffer does not place one of skill in the art in possession of a method for controlling call receipts, Shaffer also does not place one of skill in the art in possession of a system and computer program product for controlling call receipts corresponding to independent claims 44 and 47, and therefore does not anticipate independent claims 44 and 47.

Claims 42-43 and 45-46 depend from independent claims 41 and 44 respectively and include all of the limitations of the claims from which they depend. Because Shaffer does not enable claims 41 and 44, Shaffer does not enable claims 42-43 and 45-46. Claims 41-47 are therefore patentable and should be allowed.

#### Maloney

Maloney does not enable independent claim 1. Independent claim 1 claims "a method for controlling call logging, comprising: detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request." In contrast to claim 1, Maloney discloses automatically monitoring the performance quality of call center service representatives by automatically and randomly determining a time and interval to monitor the agent and recording the call service representative at the determined time and for the determined interval. The recorded performance may then be used by a call center



AUS920010835US1

supervisor to evaluate the call center representative's performance. Maloney, column 4, lines 25 – 50; column 5, lines 5-60. Maloney discloses recording a call in dependence upon a predetermined time not a context for a call. In fact, Maloney does not even mention context based logging requests, valid context based logging requests or invalid context based logging requests. Maloney therefore does not place one of skill in the art in possession of claim 1 and therefore does not anticipate claim 1.

Claims 2-15 depend from independent claim 1 and include all of the limitations of claim 1. Because Maloney does not enable claim 1, Maloney does not enable claims 2-15. As such, claims 1-15 are patentable and should be allowed.

Independent claims 16 and 31 recite system and computer program product claims corresponding to independent claim 1 that include "means for" and "means, recorded on [a] recording medium, for:" detecting a context for a call; accessing at least one context based logging request valid for said context for said call; and logging said context according to said context based logging request. As discussed above, Maloney discloses automatically monitoring the performance quality of call center service representatives by automatically and randomly determining a time and interval to monitor the agent and recording the call service representative at the determined time and for the determined interval. The recorded performance may then be used by a call center supervisor to evaluate the call center representative's performance. Maloney, column 4, lines 25 – 50; column 5, lines 5-60. Maloney discloses recording a call in dependence upon a predetermined time not a context for a call. In fact, Maloney does not even mention context based logging requests, valid context based logging requests or invalid context based logging requests. For the same reason that Maloney does not place one of skill in the art in possession of a method for controlling call logging, Maloney does not place one of skill in the art in possession of a system or computer program product for controlling call logging as claimed in independent claims 16 and 31. Independent claims 16 and 31 are therefore patentable and should be allowed.

AUS920010835US1

Claims 17-30 and 32-40 depend from independent claims 16 and 31 respectively and include all of the limitations of the claims from which they depend. Because Maloney does not enable claims 16 and 31, Maloney does not enable claims 17-30 and 32-40. Claims 17-30 and 32-40 are therefore patentable and should be allowed.

Turning now to independent claim 41, Maloney does not enable independent claim 41. Independent claim 41 claims "a method for controlling call receipts, comprising: logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call." In contrast to independent claim 41, Maloney discloses automatically monitoring the performance quality of call center service representatives by automatically and randomly determining a time and interval to monitor the agent and recording the call service representative at the determined time and for the determined interval. The recorded performance may then be used by a call center supervisor to evaluate the call center representative's performance. Maloney, column 4, lines 25 – 50; column 5, lines 5-60. Maloney simply discloses recording a call in dependence upon a predetermined time not context criteria. In fact, Maloney does not even mention controlling call receipts, logging a context entry of a call for a particular party, context criteria of a logging request, or controlling output of a logged context entry. Maloney therefore does not place one of skill in the art in possession of independent claim 41 and therefore, does not anticipate claim 41.

Independent claims 44 and 47 recite system and computer program products for controlling call receipts corresponding to independent method claim 1 that include "means for" and "means, recorded on [a] recording medium, for:" logging a context entry of a call for a particular party according to said context meeting a context criteria of a logging request; and responsive to a request by said particular party, controlling output of said logged context entry to said particular party as a receipt for said call. As discussed above Maloney discloses automatically monitoring the performance quality of call center service representatives by automatically and randomly determining a time and interval to

AUS920010835US1

monitor the agent and recording the call service representative at the determined time and for the determined interval. The recorded performance may then be used by a call center supervisor to evaluate the call center representative's performance. Maloney, column 4, lines 25 – 50; column 5, lines 5-60. Maloney discloses recording a call in dependence upon a predetermined time not context criteria. In fact, Maloney does not even mention controlling call receipts, logging a context entry of a call for a particular party, context criteria of a logging request, or controlling output of a logged context entry. For the same reason that Maloney does not place one of skill in the art in possession a method for controlling call receipts, Maloney does not place one of skill in the art in possession of a system and computer program product for controlling call receipts corresponding to independent claims 44 and 47, and therefore does not anticipate independent claims 44 and 47.

Claims 42-43 and 45-46 depend from independent claims 41 and 44 respectively and include all of the limitations of the claims from which they depend. Because Maloney does not enable claims 41 and 44, Maloney does not enable claims 42-43 and 45-46. Claims 41-47 are therefore patentable and should be allowed.

### Conclusion

Claims 1-33 and 35-47 stand under 35 U.S.C § 102(e) as being anticipated by Gurbani, Shaffer and Maloney. Gurbani, Shaffer, and Maloney do not disclose each and every element of Applicants' claims and do not enable Applicants' claims. Gurbani, Shaffer, and Maloney therefore do not anticipate Applicants' claims. Claims 1-33 and 35-47 are therefore patentable and should be allowed. Applicants respectfully request reconsideration of claims 1-33 and 35-47.

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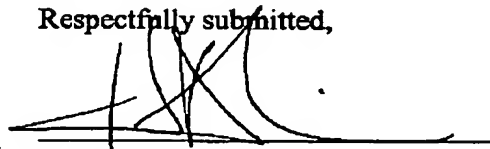
The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Date:

5.11.04

By:

Respectfully submitted,



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